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September 9, 2024

BY EFILE

Hon. Andrew M. Edison
United States Magistrate Judge
United States District Court
Southern District of Texas
601 Rosenberg, Seventh Floor
Galveston, TX 77550

Re: No. 4:21cv00575, *In re Plymouth County Retirement Sys. v. Apache Corp., et al.*

Dear Judge Edison:

We submit this letter on behalf of counsel for all parties. The parties thank the Court for its candor and wish for the best possible outcome.

We have conferred and have a joint proposal. If the Court is able and amenable, we respectfully suggest that on September 19, at the set hearing time, the Court open the record via telephone. All counsel may appear remotely, except, subject to the Court's staff's availability, one lawyer representing each side will be present in the Courtroom to confirm whether any objector or anyone else seeking to be heard is present. While we note that no potential class member has stated its intention to object to the settlement or to appear at the final approval hearing, and the August 29, 2024 deadline to do so has passed, if there is any late objector who wants to be heard, the Court can note their appearance, and order the hearing adjourned until the soonest available date.

However, if there is not any objector, the parties suggest, completely subject to the Court's discretion based on circumstances at the time, one of two avenues:

1. Continue the final approval hearing to the soonest available date and time, with Plaintiffs' counsel making a conspicuous notation to the settlement website about the change, and the change also noted in a docket entry. No further notice to potential

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class members or the public would be required, and this schedule change and notification procedure would wholly comply with the Court's Preliminary Approval Order (Dkt. 163) at Paragraph 7;

-or-

2. Given the absence of objectors, in the event the Court (i) would prefer to proceed, (ii) has no questions for counsel about the settlement, the proposed plan of allocation, or the request for attorneys' fees and expenses, and (iii) sees fit to grant the pending final settlement approval and fee and expense motions without argument, to promote efficiency and not further draw on the Court's time and resources, Plaintiffs' counsel would stand on the papers that have been submitted to the Court, and the Court could state its findings under Fed. R. Civ. P. 23(e)(2), and enter its ruling telephonically on the record at the hearing. This approach would also be in accordance with Rule 23(e)(2) and the Preliminary Approval Order at Paragraphs 6 & 7, and consistent with the notice provided to potential class members.

We are available to answer any questions or discuss this matter further, and we thank the Court for its consideration of this proposal.

Sincerely,

/s/ John S. Jack Edwards

John S. "Jack" Edwards